

1  
2  
3  
4  
5  
6  
7  
8                   UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE  
9

10                   CHARLES W. WEBER,

11                   Petitioner,

12                   v.

13                   STEPHEN SINCLAIR,

14                   Respondent.

CASE NO. C08-1676-RSL-MAT

ORDER GRANTING PETITIONER'S  
MOTION FOR LIMITED  
DISCOVERY

15  
16                   Petitioner Charles Weber, through appointed counsel, moves for limited discovery so that  
17 he may subpoena police reports from Sacramento County authorities that he would otherwise be  
18 unable to obtain. (Dkt. 78); *see* Rule 6, Rules Governing Section 2254 in The United States  
19 District Courts. Mr. Weber argues that the information is relevant to his state claim of actual  
20 innocence, and on federal habeas review to his contention that the state supreme court made an  
21 unreasonable determination of the facts in light of the evidence presented. *See* 28 U.S.C.  
22 § 2254(d)(2). Respondent has not filed an opposition.

23                   The Court GRANTS petitioner's motion for limited discovery. (Dkt. 78.) Mr. Weber  
24 may propound the proposed subpoena(s) on Sacramento County police agencies. The Clerk is

1 DIRECTED to issue the necessary subpoena(s). The Court notes, however, that this order does  
2 not suggest that Mr. Weber's request for an evidentiary hearing will be granted or that he may  
3 present the records he obtains for the first time to a federal court on habeas review.

4 Dated this 5th day of March, 2013.

5   
6

7 Mary Alice Theiler  
United States Magistrate Judge

8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24